IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 3902 of 2007(M)

PETITIONER:

P.VIMALA, "NIKUNJAM",
PARURKUZHI, VEDIVACHANKOIL P.O.,
NEAR BALARAMAPURAM, TRIVANDRUM.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY SECRETARY, VYDUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.

2. EXECUTIVE ENGINEER,
K.S.E.B., BALARAMAPURAM, THIRUVANANTHAPURAM.

3. ASSISTANT ENGINEER,
K.S.E.B., BALARAMAPURAM,
THIRUVANANTHAPURAM.

4. DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

5. ADDITIONAL DISTRICT MAGISTRATE,
THIRUVANANTHAPURAM.

6. VASANTHI.S., VIDHYA BHAVAN,
PAZHAYA ROAD, VEDIVACHANKOIL P.O.,
NEAR BALARAMAPURAM, TRIVANDRUM.

BY ADV. SRI.PRAKASH P.GEORGE
SRI.B.PREMNATH
ADV. SHRI.P.P.THAJUDEEN, SC, KSEB
ADV. SHRI.P.N.SANTHOSH – FOR R4 & R5

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 3902/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE REPRESENTATION DATED 07/08/2006 SUBMITTED BY PETITIONER BEFORE THE 3RD RESPNDENT.

P2 : COPY OF THE COMPLAINT DATED 10/08/2006 SUBMITTED BY THE PETITIOENR BEFORE THE 2ND RESPONDENT.

P3 : COPY OF THE REPRESENTATION DATED 30/09/2006 SUBMITTED BY PETITIONER BEFORE THE 4TH RESPONDENT.

P4 : COPY OF THE REPRESENTATION DATED 16/01/2007 SUBMITTED BY PETITIONER BEFORE THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 3902 of 2007

Dated, this the 31st day of July, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned Standing Counsel for the KSEB and learned counsel appearing for the 6th respondent. Petitioner gave consent for drawing electric line over his property for giving house connections to 6th respondent & one Smt. Suja. The line was drawn over the boundary of petitioner's property with three electric posts. The sketch produced by the KSEB shows that the line is drawn through posts A, B and C over the boundary of petitioner's property. On petitioner's application, post 'C' is shifted to the property of one beneficiary, by name Smt. Suja. Petitioner's request is to shift the other two posts also. On going through the sketch, I find post 'B' can be shifted to the boundary of the 6th respondent's property, as she is a beneficiary of the line. When the post 'B' is shifted to the boundary of 6th respondent's property, B-C section of the line will be passing over the common boundary of petitioner and Smt. Vasanthy. Post 'A' cannot be shifted from petitioner's property and therefore petitioner is not entitled to shift the said post and line drawn from it. This writ

petition is, accordingly, disposed of directing 3rd respondent to shift the post from position 'B' to the extreme boundary of 6th respondent's property at her cost within a period of three weeks from the date of production of a copy of this judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg